

being present between the claimed apparatus and the claims process. However, the expression “specially designed” *does not* imply that the apparatus could not be used for carrying out another process, nor does it imply that the process could not be carried out using an alternative apparatus.

In the present matter, both the process claims (Group I) and the apparatus claims (Groups II and III) relate to fastening the outer shell in a gyratory crusher. The special technical features in each of Groups I, II and III relate to fixing an outer shell, where the outer shell has a first abutment surface, which is arranged in a first fixing step, to be brought into contact with a first contact surface on the frame, and that a spacer member is arranged to, in a second fixing step, to be brought into contact with a second abutment surface. Each of the inventions of Group I, II and III, in some form, include these special technical features.

The above-mentioned technical features define a contribution which each of claimed inventions, considered as a whole, defines over the prior art. Therefore, the inventions of Groups I, II, and III satisfy the requirement of unity of invention set forth in PCT Rule 13.2.

For the related product inventions (Groups II and III) to be distinct products, the products must not overlap in scope, not be obvious variants, and are either not capable of use together or can have a materially different design, mode of operation, function or effect. *See* MPEP § 806.05(j).

In contrast, products of Group II and III are specifically designed for use together and include the same technical feature of an outer shell having a first abutment surface, which is arranged in a first fixing step, to be brought into contact with a first contact surface on the frame, and that a spacer member is arranged to, in a second fixing step, to be brought into contact with a

second abutment surface. Therefore, the product inventions of Groups II and III satisfy the requirement of unity of invention set forth in PCT Rule 13.2.

If the Examiner maintains the Restriction Requirement, Applicants reserves the right to file divisional applications directed to the non-elected inventions prior to the issuance of the present application as a patent.

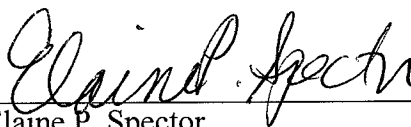
Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, it is respectfully requested that the undersigned be contacted at the number indicated below.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,

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